

12/27/01

JCS25 U.S. PTO

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. FTI 127

First Inventor C. Michael Philbrook

Title Controlled Release of Anti-Arrhythmic Agents

Express Mail Label No. EL 855357496 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 42]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages]
- a. ☒ Unexecuted declaration (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____/_____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been incorporated into the submitted application parts.

18. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label

23579

23579

or ☐ Correspondence address below

Name	Patrea L. Pabst Holland & Knight LLP				
Address	One Atlantic Center Suite 2000 1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3400
Country	USA	Telephone	404-817-8473	Fax	404-817-8588

Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature			Date December 27, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	
Filing Date	December 27, 2001
First Named Inventor	C. Michael Philbrook
Examiner Name	
Group Art Unit	
Attorney Docket No.	FTI 127

TOTAL AMOUNT OF PAYMENT (\$ 1,136.00)

METHOD OF PAYMENT (check one)

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-1868

Deposit
Account
Name

Holland & Knight LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description
Code (\$) Code (\$)

101	710	201	355	Utility filing fee	740.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

Fee Paid

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	42	-20	=	22	x	Fee from below	18	=	396.00
Independent Claims	3	-3	=	0	x	0	=	0	
Multiple Dependent			=	0	=	0	=	396	

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$)

103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 396.00)

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$)

Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179		279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Name (Print/Type)

Patricia L. Pabst

Registration No.
(Attorney/Agent)

31,284

Complete (if applicable)

Telephone

404-817 8473

Signature

Date

12/27/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
5052

In Re Application Of: C. MICHAEL PHILBROOK ET AL.

Serial No.
10/033,274

Filing Date
DECEMBER 27, 2001

Examiner
UNASSIGNED

Group Art Unit
1615

Invention: CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☐ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath _____

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees _____

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: March 31, 2002
Date

until: April 30, 2002
Date

Total time extension fees \$110.00

Total fees due \$110.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
5052

In Re Application Of: C. MICHAEL PHILBROOK ET AL.

Serial No.
10/033,274

Filing Date
DECEMBER 27, 2001

Examiner
UNASSIGNED

Group Art Unit
1615

Invention: CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$110.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 07-1074
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1074
A duplicate copy of this sheet is enclosed.


Signature

Dated: April 11, 2002

Isabelle A. S. Blundell, Ph.D. Reg. No. 43,321
Genzyme Corporation
Legal Department
15 Pleasant Street Connector
Framingham, MA 01701-9322

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: C. Michael Philbrook, James W. Burns, Kevin C. Skinner and Robert J. Miller

Serial No.: Express Mail Label No.: EL 855357496 US

Filed: December 27, 2001 Date of Deposit December 27, 2001

For: CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, we enclose for filing the attached patent application entitled "CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS" by C. Michael Philbrook, James W. Burns, Kevin C. Skinner and Robert J. Miller, which claims priority to U.S.S.N. 60/258,369 filed December 27, 2000. The application includes 1 page of Abstract, 37 pages of specification, 5 pages of claims, 5 sheets of informal drawings, and an unexecuted Declaration. An executed Declaration and Assignment to Genzyme Corporation, will be submitted shortly. A check in the amount of \$1,136.00 to cover the filing fee is enclosed.

This application is not entitled to small entity status under 37 C.F.R. § 1.27.

This application is being filed on December 27, 2001 by mailing the application to the Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express Mail label

"CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS"
Filed: December 27, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No. EL855357496 US
Date of Deposit: December 27, 2001

number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Order Account No. 50-1868. To facilitate this process, applicants have enclosed a duplicate of this letter.

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
HOLLAND & KNIGHT LLP
2000 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: December 27, 2001
HOLLAND & KNIGHT LLP
2000 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450
(404) 817-8514 Telephone
(404) 817-8588 Telefax

"CONTROLLED RELEASE OF ANTI-ARRHYTHMIC AGENTS"
Filed: December 27, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No. EL855357496 US
Date of Deposit: December 27, 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, December 27, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL855357496US, addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Date: December 27, 2001


P. Jerome

ATL1 #500593 v1

1003274-122001